

EMERY CELLI BRINCKERHOFF & ABADY LLP

RICHARD D. EMERY  
ANDREW G. CELLI, JR.  
MATTHEW D. BRINCKERHOFF  
JONATHAN S. ABADY  
EARL S. WARD  
ILANN M. MAAZEL  
HAL R. LIEBERMAN  
DANIEL J. KORNSTEIN  
O. ANDREW F. WILSON  
ELIZABETH S. SAYLOR  
KATHERINE ROSENFELD  
DEBRA L. GREENBERGER  
ZOE SALZMAN  
SAM SHAPIRO

ATTORNEYS AT LAW  
600 FIFTH AVENUE AT ROCKEFELLER CENTER  
10<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10020

TEL: (212) 763-5000  
FAX: (212) 763-5001  
www.ecbalaw.com

CHARLES J. OGLETREE, JR.  
EMERITUS

DIANE L. HOUK  
JESSICA CLARKE

ALISON FRICK  
DAVID LEBOWITZ  
DOUGLAS E. LIEB  
ALANNA KAUFMAN  
EMMA L. FREEMAN  
DAVID BERMAN  
ASHOK CHANDRAN  
MICHELE YANKSON

July 18, 2019

*Via ECF*

Honorable Lorna G. Schofield  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

*Re: Razzoli v. City of New York, et al., No. 16 Civ. 7136 (LGS)*

Dear Judge Schofield,

This firm represents the Hunts Point Terminal Market defendants. I write in response to Plaintiff *pro se* Kevin Razzoli's letter (ECF # 108) which appears to seek "sanction" against me for either failing to communicate with Mr. Razzoli and/or for alleged "perjury." There is no basis for any sanctions.

First, I have asked Mr. Razzoli to communicate with me about this case via email. Because Mr. Razzoli is *pro se* and has a pattern of threatening me and my clients, as well as of misrepresenting the content of our communications, I want there to be a clear, written record of what is said by him and by me. Most recently, on July 10, I received a voicemail from Mr. Razzoli that was left at 4:15 p.m. and threatened me with sanctions if I did not return his call by 5:00 p.m. that day. At 5:41 p.m., Mr. Razzoli also sent me an email, which I responded to approximately one hour later. A true and correct copy of this email exchange is attached. As it shows: 1) there was no imminent emergency that required me to contact Mr. Razzoli by 5:00 p.m. on July 10; 2) there is no basis for saying I am not responsive to Mr. Razzoli; and 3) Mr. Razzoli is capable of communicating via email, which is a medium more likely to encourage a professional tone and discourage inappropriate threats.

Second, I have not misled the Court, much less engaged in any "perjury." I have truthfully reported over the last few months on my efforts to learn more about the status of Mr. Razzoli's criminal appeal, which was difficult because my clients are not parties to that appeal and because Mr. Razzoli did not respond to my requests that he provide proof of the status of the appeal.

I respectfully request that Mr. Razzoli's request for sanctions be denied. If the Court

EMERY CELLI BRINCKERHOFF & ABADY LLP

Page 2

requires any further information from me, I would be happy to provide it.

Respectfully submitted,

/s

Zoe Salzman

c. Kevin Razzoli (*via U.S. Mail*)  
19 Fort Place  
Staten Island, NY 10301

Nicholas Manningham, Esq. (*via ECF*)  
New York City Law Department  
100 Church St.  
New York, NY 10007

**From:** [Kevin Razzoli](#)  
**To:** [Zoe Salzman](#); [npacia@truccodirect.com](mailto:npacia@truccodirect.com); [Peter Lolis](#); [Monica Huang](#)  
**Subject:** Re: Letter addressed to Judge ie : emailed to you effecting service  
**Date:** Wednesday, July 10, 2019 8:44:02 PM

---

Ms Salzman

I did not threaten you ,it is legally sound

To take such measures and it is in accordance with law defined in rules of civil procedure  
....Thank for such a fast response since in the past you have not

Il mer 10 lug 2019, 6:39 PM Zoe Salzman <[zsalzman@ecbalaw.com](mailto:zsalzman@ecbalaw.com)> ha scritto:

Mr. Razzoli,

I received a voicemail from you today that was left at 4:15 threatening me with “sanctions” if I did not call you by 5:00 today. I am a busy attorney with many cases. In addition, as I have said to you many times before, I prefer to communicate with you in writing so that there is a clear record of what is said.

Please do not threaten me. It is not appropriate and your pattern of threatening behavior is another reason why I prefer that our communications be in writing.

Judge Schofield issued an order today directing us to file a joint status report on September 2. I’ve attached the court order here for your records. I will email you shortly before September 2 to prepare the status report together.

I am not aware of anything we need to discuss until then. If there is anything you need to communicate to me before then, you can write it to me in an email and I will promptly respond, as I have responded to your prior emails.

Thank you,

Zoe Salzman

Partner

Emery Celli Brinckerhoff & Abady LLP

600 Fifth Avenue, 10th Floor

New York, NY 10020

phone: 212-763-5000

fax: 212-763-5001

[zsalzman@ecbalaw.com](mailto:zsalzman@ecbalaw.com)

[www.ecbalaw.com](http://www.ecbalaw.com)

This electronic message transmission contains information from the law firm of Emery Celli Brinckerhoff & Abady LLP which may be confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this information is prohibited. If you have received this electronic transmission in error, please notify us by telephone (212-763-5000) or by electronic mail ([zsalzman@ecbalaw.com](mailto:zsalzman@ecbalaw.com)) immediately.

**From:** Kevin Razzoli <[kevinrazzoli1965@gmail.com](mailto:kevinrazzoli1965@gmail.com)>

**Sent:** Wednesday, July 10, 2019 5:41 PM

**To:** Zoe Salzman <[zsalzman@ecbalaw.com](mailto:zsalzman@ecbalaw.com)>

**Subject:** Letter addressed to Judge ie : emailed to you effecting service

Ms Salzman

You repeatedly reuse to answer phone calls for over 3 years involving this case therefore violations of Courts Order Exist !

Call me again at 718 406 2155